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UNITED STATES DISTRICT COURT

DISTRICT OF OREGON

CHRISTINA MCCLELLAN,	)	
	)	
Plaintiff,	)	
	)	Case No. _____
v.	)	
	)	COMPLAINT
I-FLOW CORPORATION, a Delaware	)	Personal Injury Action (28 USC § 1332)
corporation,	)	Demand For Jury Trial
	)	
Defendant.	)	

1. Plaintiff is a citizen of the State of Oregon and defendant is a corporation incorporated under the laws of the State of Delaware, having its principal place of business in the State of California. The matter in controversy exceeds, exclusive of interest and costs, sums specified by 28 USC § 1332.

2. On or about October 1, 2003, and again on or about September 1, 2004, plaintiff underwent arthroscopic surgery on her right shoulder and at the conclusion of the surgeries a Pain Buster Dual Pain Management System device manufactured, marketed, and distributed by defendant was utilized by the surgeon to inject pain relief medications directly into plaintiff's right shoulder joint, on a continuous basis, for up to 72 hours or

1 more following said surgeries.

2 3. Defendant's pain pump devices were unreasonably dangerous beyond  
3 the extent contemplated by ordinary patients with ordinary knowledge regarding the  
4 devices.

5 4. Defendant negligently failed to instruct and warn the United States  
6 Medical Community regarding the safe use of its devices.

7 5. As a direct, foreseeable, and proximate result, plaintiff has suffered  
8 chondrolysis of her right shoulder joint, the permanent loss of cartilage within the  
9 shoulder joint, has suffered great pain and suffering of body and mind, incurred past  
10 medical expenses in the sum of \$300,000.00, will incur future medical expenses in the  
11 sum of \$750,000.00, and has suffered past and future impairment of earning capacity in  
12 the sum of \$450,000.00.

13 6. Despite the exercise of reasonable care and diligence, plaintiff did not  
14 discover the existence of the claims herein until two years of the date of commencing this  
15 action.

16 7. Wherefore, plaintiff demands judgment against defendant in the sum of  
17 \$4,500,000.00 noneconomic general damages and \$1,500,000.00 special and economic  
18 damages.

19 Dated this 31st day of August, 2007.

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Attorney for Plaintiff